

REMARKS

In the non-final Office Action dated May 1, 2008, it is noted that claims 1 – 13 are pending in the application.

In the present amendment, claims 2, 4 and 12 have been cancelled without prejudice.

The Office Action objects to the specification for an informality. In the present amendment, the specification has been amended to amend the reference numeral from “401” to “406”, and to change from “... memory 417 via a communication bus” to “... memory 415 via a communication bus 417.” No new matter has been added. Withdrawal of the objection to the specification is respectfully requested.

The Office Action objects to the drawings for a number of informalities. In the amendments to the drawings, the reference numeral for the transmitter in Fig. 2 has been corrected to read “309.” In addition, the above amendments to the specification have obviated other informality objections to the drawings. No new matter has been added. Withdrawal of the objection to the drawings is respectfully requested.

The Office Action objects to claims 8, 10 and 13 for not further limiting the subject matter of a previous claim. In the present amendment, claims 8, 10 and 13 have been amended to obviate this objection. No new matter has been added. Withdrawal of the objection to claims 8, 10 and 13 is respectfully requested.

35 U.S.C. §102

The Office Action rejects claims 1, 2, 4 – 9 and 11 – 13 under 35 U.S.C. §102(b) over Lundkvist (WO 02/035036 A1).

Applicant submits that for at least the following reasons, claim 1, 5 – 9, 11 and 13 are patentable over Lundkvist.

For example, amended claim 1 requires:

*“generating by the first communication device a third signal by modifying the first signal according to the common secret;
comparing the third signal with the received second signal to check if the second signal has been modified according to the common secret.”*

Lundkvist, Fig. 3, paragraph [0034], apparently discloses that a third signal Y2 is generated by the second device. Apparently, the first device in Lundkvist, decrypts signals (Z and Y2) received from the second device, but it does not perform any modification on the first signal X to generate any third signal. Therefore, Lundkvist does not teach or suggest that the third signal is generated by the first communication device by modifying the first signal according to the common secret, as claimed.

Although Lundkvist discloses that $f(x)$, $f(z)$ and T2 are checked, it does not teach or suggest that the checking is performed by comparing the third signal with the received second signal. Since, as discussed above, the first device in Lundkvist does not generate the third signal by modifying the first signal according to the common secret, there is no comparing the third signal with the received second signal. Therefore, Lundkvist fails to disclose the claimed features: generating by the first communication device a third signal by modifying the first signal according to the common secret, and comparing the third signal with the received second signal to check if the second signal has been modified according to the common secret.

In view of at least the foregoing, Applicant submits that claim 1 is patentable over Lundkvist.

Similarly, claim 8 requires:

*“generating by the third communication device a third signal by modifying the first signal according to the common secret;
comparing the third signal with the received second signal to check if the second signal has been modified according to the common secret.”*

Also, claim 11 requires:

*“means for generating by the first communication device a third signal by modifying the first signal according to the common secret;
means for comparing the third signal with the received second signal to check if the second signal has been modified according to the common secret.”*

Applicants essentially repeat the above arguments for claim 1 and apply them to claims 8 and 11 pointing out why Lundkvist fails to disclose the claimed features: generating by the third communication device a third signal by modifying the first signal according to the common secret, and comparing the third signal with the received second signal to check if the second signal has been modified according to the common secret; or the features: means for generating

by the first communication device a third signal by modifying the first signal according to the common secret, and means for comparing the third signal with the received second signal to check if the second signal has been modified according to the common secret. Therefore, claims 8 and 11 are patentable over Lundkvist.

Claims 5 – 7, 9 and 13 are patentable because at least they respectively depend from claims 1, 8 and 13, with each claim containing further distinguishing features.

Withdrawal of the rejection of claims 1, 5 – 9, 11 and 13 under 35 U.S.C. §102(b) is respectfully requested.

35 U.S.C. §103

Under 35 U.S.C. §103(a), the Office Action rejects claim 3 over Lundkvist in view of Rofheart et al (WO 01/93434 A2), hereinafter “Rofheart”; and claim 10 over Lundkvist.

Applicants submit that Rofheart does not in any way cure the defects pointed out above with respect to Lundkvist. Thus claims 1 and 8 are patentable over Lundkvist and Rofheart, either singly or in combination. Claims 3 and 10 are patentable because they respectively depend from claims 1 and 8, with each claim containing further distinguishing features. Withdrawal of the rejection of claims 3 and 10 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

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CUSTOMER NUMBER 24737